

Department of Public Health  
and Human Services

Section:  
APPLICATION FILING

FAMILIES ACHIEVING INDEPENDENCE IN  
MONTANA

Subject:  
Voter Registration

**Supersedes:** FMA 103-6 (12/01/98)

**References:** National Voter's Registration Act of 1993 (NVRA)  
P.L. 103-31, effective 1/1/95; MCA 13-2-221

GENERAL RULE--Agency based registration is a requirement of the National Voter's Registration Act (NVRA) of 1993. Agencies mandated to implement voter registration reform include those that provide public assistance.

**Each applicant/recipient must be offered a voter registration form with each application for services or assistance, recertification, redetermination or change of address form.**

**NOTE:** Completed voter registration forms shall be transmitted to the local Clerk and Recorder within ten (10) calendar days from the date received or within three (3) calendar days of the close of registration which is thirty (30) days before an election.

#### **DECLINATION/ AGENCY RETENTION FORMS**

In accordance with federal regulations, the Secretary of State's Office has developed an Agency Retention Form which will be attached to the voter registration card. The Agency Retention Form includes the following:

1. A question regarding whether or not the individual would like to apply to register to vote;
2. A statement which indicates applying to register or declining to register to vote will not affect the amount of assistance provided by the agency;
3. Boxes for the applicant to check indicating whether or not they would like to register or decline to register, along with a statement indicating checking neither box will be considered a decision not to register to vote at this time;
4. A statement regarding the Department of Public Health and Human Services' (DPHHS) responsibility to assist in completion of the voter registration application form, if desired; and

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5. A statement instructing the individual how to proceed if they believe someone has interfered with their right to register to vote, their right to privacy or their right to choose their political preference.

**NOTE:** Agency Retention Forms and Voter registration cards are available from the Secretary of State's Office at (406)444-2034.

**ELIGIBILITY  
STAFF  
RESPONSIBILITIES**

DPHHS and agency staff who provide voter registration services shall **not**:

1. Seek to influence an applicant's political preference or decisions;
2. Display any political preference or party allegiance;
3. Make any statement or take any action to discourage an applicant from registering to vote;
4. Make any statement or take any action that leaves an applicant with the impression that a decision to register or not register has any bearing on eligibility for or receipt of any program benefit; and
5. Disclose the identity of the voter registration agency of any applicant to the public (right of privacy).

**COUNTY  
DIRECTOR/  
DESIGNEE**

County Director/Designee responsibilities include:

1. Ensuring voter registration information, Registration Cards and Agency Retention Forms are made available for each applicant/recipient (even those interviewed in their home) as specified below;
2. Ensuring procedures are in place to transmit completed Registration Cards to the Clerk and Recorder within ten calendar days, taking care to protect the confidentiality of applicants by using **plain envelopes**; and
3. Ensuring Agency Retention Forms are forwarded on a monthly basis to:  
Secretary of State's Office  
PO Box 202801  
Helena, MT 59620-2801

**OPA CASE  
MANAGER**

OPA Case Manager responsibilities include:

1. Offering a voter registration opportunity to each:

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- a. Applicant for FAIM Financial, Food Stamps or Medicaid;
- b. Recipient reporting a change of address; and
- c. Individual completing a recertification and/or redetermination.

Offering the opportunity to register to vote is accomplished by having the applicant:

- a. Read the Agency Retention Form, which is attached to the registration card;
- b. Check the “yes” or “no” box; and
- c. Sign the form at the bottom.

**NOTE:** If an applicant/participant does not wish to complete the agency retention form or checks a box but declines to include other identifying information, treat this as a blank form and continue with your normal service to the applicant.

- 2. Providing the same level of assistance to any applicant/recipient in completing the voter registration form, if requested, as would be provided in completing the application for assistance;
- 3. Routing registration(s) to the County Clerk and Recorder Office following procedure established in your local office; and
- 4. On a monthly basis, forwarding the Agency Retention Forms to:

Secretary of State's Office  
PO Box 202801  
Helena, MT 59620-2801.

**NOTE:** When an individual has included some identifying information on the Agency Retention Form but declines to sign it, send the unsigned form to the Secretary of State's Office.

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**NOTE:** It is a best practice to note on TEAMS Case Notes (CANO) the individual was afforded the opportunity to register to vote.

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